



March 22, 2001

ENGROSSED SENATE BILL No. 67

DIGEST OF SB 67 (Updated March 20, 2001 1:24 PM - DI 105)

Citations Affected: IC 35-50; noncode.

Synopsis: Definition of minimum sentence. Eliminates a mathematical error in the definition of "minimum sentence" by changing the definition of "minimum sentence" for murder from 30 years to 45 years and by changing the definition of "minimum sentence" for a Class D felony from one year to one-half year.

Effective: Upon passage.

Alexa, Meeks R

(HOUSE SPONSORS — DVORAK, AYRES, FOLEY)

January 8, 2001, read first time and referred to Committee on Judiciary.
March 1, 2001, reported favorably — Do Pass.
March 5, 2001, read second time, ordered engrossed. Engrossed.
March 6, 2001, read third time, passed. Yeas 50, nays 0.

HOUSE ACTION

March 12, 2001, read first time and referred to Committee on Courts and Criminal Code.
March 21, 2001, reported — Do Pass.

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ES 67—LS 6234/DI 51+



March 22, 2001

First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

ENGROSSED SENATE BILL No. 67

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 35-50-2-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) As used in
3 this chapter, "Class D felony conviction" means a conviction of a Class
4 D felony in Indiana and a conviction, in any other jurisdiction at any
5 time, with respect to which the convicted person might have been
6 imprisoned for more than one (1) year. However, it does not include a
7 conviction with respect to which the person has been pardoned, or a
8 conviction of a Class A misdemeanor under section 7(b) of this
9 chapter.
10 (b) As used in this chapter, "felony conviction" means a conviction,
11 in any jurisdiction at any time, with respect to which the convicted
12 person might have been imprisoned for more than one (1) year.
13 However, it does not include a conviction with respect to which the
14 person has been pardoned, or a conviction of a Class A misdemeanor
15 under section 7(b) of this chapter.
16 (c) As used in this chapter, "minimum sentence" means:
17 (1) for murder, ~~thirty (30)~~ **forty-five (45)** years;

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- 1 (2) for a Class A felony, twenty (20) years;
2 (3) for a Class B felony, six (6) years;
3 (4) for a Class C felony, two (2) years; and
4 (5) for a Class D felony, ~~one (1)~~ **one-half (1/2)** year.

5 SECTION 2. [EFFECTIVE UPON PASSAGE] **(a) IC 35-50-2-1, as**
6 **amended by this act, applies to crimes committed on and after the**
7 **passage of this act.**

8 **(b) It is the intent of the general assembly that IC 35-50-2-1, as**
9 **it applies to crimes committed before the passage of this act, be**
10 **construed without drawing any inference from the passage of this**
11 **act.**

12 SECTION 3. **An emergency is declared for this act.**

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COMMITTEE REPORT

Mr. President: The Senate Committee on Judiciary, to which was referred Senate Bill No. 67, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 67 as introduced.)

BRAY, Chairperson

Committee Vote: Yeas 9, Nays 0.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 67, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

DVORAK, Chair

Committee Vote: yeas 12, nays 0.

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